

Exhibit 159

Redacted Public Version

HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

Page 1

HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

NIKE, INC., :
Plaintiff, : Case No. 22-cv-983
:
v. :
STOCKX LLC, :
Defendant. :
----- :

VIDEOTAPE DEPOSITION OF:
BARBARA DELLI CARPINI
NEW YORK, NEW YORK
TUESDAY, JANUARY 10, 2023

REPORTED BY:
SILVIA P. WAGE, CCR, CRR, RPR
JOB NO. 5593380

HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

| Page 2 | Page 4 |
|--|---|
| <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2</p> <p>3</p> <p>4 January 10, 2023</p> <p>5 9:41 a.m.</p> <p>6 Videotape deposition of BARBARA DELLI</p> <p>7 CARPINI, held at the offices of DEBEVOISE &</p> <p>8 PLIMPTON LLP, 919 Third Avenue, New York, New</p> <p>9 York, pursuant to agreement before SILVIA P.</p> <p>10 WAGE, a Certified Shorthand Reporter, Certified</p> <p>11 Realtime Reporter, Registered Professional</p> <p>12 Reporter, and Notary Public for the States of New</p> <p>13 Jersey, New York and Pennsylvania.</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 I N D E X</p> <p>3 WITNESS: BARBARA DELLI CARPINI PAGE</p> <p>4 EXAMINATION BY MS. BANNIGAN 9</p> <p>5 EXAMINATION BY MS. DUVDEVANI 271</p> <p>6 EXAMINATION BY MS. BANNIGAN 277</p> <p>7</p> <p>8 E X H I B I T S</p> <p>9 NO. DESCRIPTION PAGE</p> <p>10 Exhibit 1 Notice of Deposition of Nike, 16</p> <p>11 Inc.</p> <p>12 Exhibit 2 presentation titled, "Dolos," 85</p> <p>13 NIKE0040131 to NIKE0040160</p> <p>14 marked Highly Confidential -</p> <p>15 Outside Counsel's Eyes Only</p> <p>16 Exhibit 3 Plaintiff Nike Inc.'s 120</p> <p>17 Supplemental Responses and</p> <p>18 Objections to Defendant</p> <p>19 StockX LLC's Second Set of</p> <p>20 Interrogatories</p> <p>21 Exhibit 4 document titled, [REDACTED] [REDACTED]</p> <p>22 "NIKE0035919</p> <p>23 marked Highly Confidential -</p> <p>24 Outside Counsel's Eyes Only</p> <p>25 Exhibit 5 presentation titled, " [REDACTED] 174</p> <p>NIKE0035611 to NIKE0035650</p> <p>marked Highly Confidential -</p> <p>Outside Counsel's Eyes Only</p> <p>Exhibit 6 enlarged spreadsheet produced 184</p> <p>in native NIKE0039044</p> <p>Exhibit 7 Plaintiff Nike Inc.'s 185</p> <p>Responses and Objections to</p> <p>Defendant's StockX LLC Third</p> <p>Set of Interrogatories</p> <p>Exhibit 8 enlarged spread sheet 205</p> <p>NIKE0039436</p> <p>Exhibit 9 5/12/22 e-mail from 255</p> <p>[REDACTED]@gmail.com to</p> <p>Counterfeit@Nike.com</p> <p>NIKE0040617 marked</p> <p>Confidential</p> |
| Page 3 | Page 5 |
| <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 A P P E A R A N C E S:</p> <p>3</p> <p>4 DLA PIPER LLP (US)</p> <p>5 Attorneys for Plaintiff</p> <p>6 1251 Avenue of the Americas 27th Floor</p> <p>7 New York, New York 10020-1104</p> <p>8 (212) 335-4500</p> <p>9 Tamar.duvdevani@dlapiper.com</p> <p>10 Marc.miller@us.dlapiper.com</p> <p>11 BY: TAMAR DUVDEVANI, ESQ.</p> <p>12 BY: MARC MILLER, ESQ.</p> <p>13</p> <p>14 DEBEVOISE & PLIMPTON LLP</p> <p>15 Attorneys for Defendants</p> <p>16 919 Third Avenue</p> <p>17 New York, New York 10022</p> <p>18 (212) 909-600</p> <p>19 Mkbannigan@debevoise.com</p> <p>20 Ksaba@debevoise.com</p> <p>21 Askapyur@debevoise.com</p> <p>22 BY: MEGAN BANNIGAN, ESQ.</p> <p>23 BY: KATHRYN SABA, ESQ.</p> <p>24 BY: ANITA KAPYUR, ESQ.</p> <p>25</p> <p>ALSO PRESENT:</p> <p>KIMBERLY VAN VOORHIS, ESQ.</p> <p>IN-HOUSE NIKE</p> <p>MARCELO RIVERA</p> <p>VIDEOGRAPHER</p> | <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 E X H I B I T S</p> <p>3 NO. DESCRIPTION PAGE</p> <p>4 Exhibit 10 5/12/22 e-mail 0040617 from 257</p> <p>5 [REDACTED]@gmail.com to</p> <p>6 Counterfeit@Nike.com</p> <p>7 NIKE0040620 to NIKE0040623</p> <p>8 marked Confidential</p> <p>9</p> <p>10 PREVIOUSLY MARKED EXHIBITS</p> <p>11</p> <p>12 NO. DESCRIPTION PAGE</p> <p>13</p> <p>14 NONE</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |

HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

| Page 218 | Page 220 |
|--|---|
| <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 (Stenographer clarification.)</p> <p>4 [REDACTED]</p> <p>5 [REDACTED] I don't know if that</p> <p>6 has been put on record.</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p> <p>26 [REDACTED]</p> <p>27 [REDACTED]</p> <p>28 [REDACTED]</p> <p>29 [REDACTED]</p> <p>30 [REDACTED]</p> | <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p> <p>26 [REDACTED]</p> <p>27 [REDACTED]</p> <p>28 [REDACTED]</p> <p>29 [REDACTED]</p> <p>30 [REDACTED]</p> |
| Page 219 | Page 221 |
| <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 Q. But as we're sitting here today, do</p> <p>4 you know the details of any?</p> <p>5 MS. DUVDEVANI: Objection.</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p> <p>26 [REDACTED]</p> <p>27 [REDACTED]</p> <p>28 [REDACTED]</p> <p>29 [REDACTED]</p> <p>30 [REDACTED]</p> | <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p> <p>26 [REDACTED]</p> <p>27 [REDACTED]</p> <p>28 [REDACTED]</p> <p>29 [REDACTED]</p> <p>30 [REDACTED]</p> |

HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

| | |
|--|--|
| <p>Page 222</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>[REDACTED]</p> | <p>Page 224</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>[REDACTED]</p> |
| <p>Page 223</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>[REDACTED]</p> <p>25 MS. DUVDEVANI: Objection.</p> | <p>Page 225</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>[REDACTED]</p> |

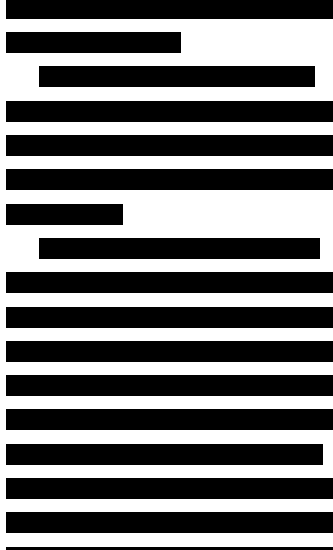
57 (Pages 222 - 225)

HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

Page 226

Page 228

1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY



23 Q. Anything else?

24 A. Those are the main principles we

25 discuss with them.

1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

| Age Group | Percentage of Respondents |
|-----------|---------------------------|
| 18-29 | 90% |
| 30-49 | 85% |
| 50-64 | 80% |
| 65+ | 60% |

Page 227

Page 229

1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

| Year | Number of Publications |
|------|------------------------|
| 2012 | 10 |
| 2013 | 20 |
| 2014 | 18 |
| 2015 | 8 |
| 2016 | 12 |
| 2017 | 15 |

8 Q. Yeah, I mean, have you -- so my

9 understanding is from test purchases you found

10 four or six alleged counterfeits from StockX.

11 A. Four.

12 Q. Four from StockX?

13 A. (No response.)

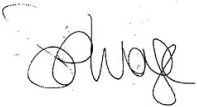
| Response | Percentage |
|--|------------|
| Yes, the U.S. should take action to protect the environment | 90% |
| No, the U.S. should not take action to protect the environment | 10% |

1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

A horizontal bar chart titled 'U.S. Should Take Action Against Islamic State' showing the percentage of respondents who believe the U.S. should take action against the Islamic State, categorized by age group. The y-axis lists age groups from 18-29 to 65+. The x-axis represents the percentage from 0 to 100. The bars are black, and the chart includes a legend for 'U.S. Should Take Action Against Islamic State'.

| Age Group | Percentage |
|-----------|------------|
| 18-29 | 85% |
| 30-39 | 75% |
| 40-49 | 85% |
| 50-59 | 75% |
| 60-64 | 95% |
| 65+ | 70% |
| 18-29 | 75% |
| 30-39 | 85% |
| 40-49 | 95% |
| 50-59 | 75% |
| 60-64 | 95% |
| 65+ | 85% |
| 18-29 | 75% |
| 30-39 | 85% |
| 40-49 | 95% |
| 50-59 | 75% |
| 60-64 | 95% |
| 65+ | 85% |
| 18-29 | 75% |
| 30-39 | 85% |
| 40-49 | 95% |
| 50-59 | 75% |
| 60-64 | 95% |
| 65+ | 85% |

HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

| | |
|---|--|
| <p style="text-align: right;">Page 278</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 with Bates No. 144 please.</p> <p>3 A. Uh-huh.</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p> | <p style="text-align: right;">Page 280</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 CERTIFICATE OF REPORTER</p> <p>3 I, SILVIA P. WAGE, a Certified Shorthand</p> <p>4 Reporter, Certified Realtime Reporter and Registered</p> <p>5 Reporter, hereby certify that the witness in the</p> <p>6 foregoing deposition was by me duly sworn to tell</p> <p>7 the truth, the whole truth, and nothing but the</p> <p>8 truth in the within-entitled cause; that said</p> <p>9 deposition was taken down in shorthand by me, a</p> <p>10 disinterested person, at the time and place</p> <p>11 therein stated, and that the testimony of the</p> <p>12 said witness was thereafter reduced to typewriting,</p> <p>13 by computer, under my direction and supervision;</p> <p>14 that before completion of the deposition, review</p> <p>15 of the transcript [X] was [] was not requested.</p> <p>16 If requested, any changes made by the deponent</p> <p>17 (and provided to the reporter) during the period</p> <p>18 allowed are appended hereto.</p> <p>19 I further certify that I am not of counsel</p> <p>20 or attorney for either or any of the parties to</p> <p>21 the said deposition, nor in any way interested in</p> <p>22 the event of this cause, and that I am not</p> <p>23 [REDACTED] as thereto.</p> <p>24  January 12, 2023.</p> <p>25 License No. 30X100182700</p> |
| <p style="text-align: right;">Page 279</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 A. Correct.</p> <p>13 MS. BANNIGAN: Okay. I have no</p> <p>14 further questions.</p> <p>15 MS. DUVDEVANI: Okay. Neither do I.</p> <p>16 THE VIDEOGRAPHER: The time is</p> <p>17 5:07 p.m. and we're going off the record.</p> <p>18 (Time noted: 5:08 p.m.)</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | <p style="text-align: right;">Page 281</p> <p>1 Tamar Duvdevani, Esq.</p> <p>2 Tamar.duvdevani@dlapiper.com</p> <p>3 January 12, 2023.</p> <p>4 RE: Nike, Inc. v. Stockx LLC</p> <p>5 1/10/2023, Barbara Delli Carpini (#5593380)</p> <p>6 The above-referenced transcript is available for</p> <p>7 review.</p> <p>8 Within the applicable timeframe, the witness should</p> <p>9 read the testimony to verify its accuracy. If there are</p> <p>10 any changes, the witness should note those with the</p> <p>11 reason, on the attached Errata Sheet.</p> <p>12 The witness should sign the Acknowledgment of</p> <p>13 Deponent and Errata and return to the deposing attorney.</p> <p>14 Copies should be sent to all counsel, and to Veritext at</p> <p>15 awilliams@veritext.com.</p> <p>16</p> <p>17 Return completed errata within 30 days from</p> <p>18 receipt of testimony.</p> <p>19 If the witness fails to do so within the time</p> <p>20 allotted, the transcript may be used as if signed.</p> <p>21</p> <p>22 Yours,</p> <p>23 Veritext Legal Solutions</p> <p>24</p> <p>25</p> |

71 (Pages 278 - 281)